

U.S. District Court
North Carolina Middle District (NCMD)
CRIMINAL DOCKET FOR CASE #: 1:23-mj-00047-LPA-1
Internal Use Only

Case title: USA v. LAGUERRE

Date Filed: 01/31/2023

Other court case number: 5:23cr17 Eastern District of North
Carolina

Assigned to: MAG/JUDGE L.
PATRICK AULD

Defendant (1)

DIJON P. LAGUERRE

represented by **ALEXANDER B. STUBBS**
WINSTON LAW GROUP
210 S. CHERRY STREET
WINSTON-SALEM, NC 27101
336-529-6035
Fax: 336-245-4643
Email: Alexander@WinstonLawGroup.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

None

Disposition

Highest Offense Level
(Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

Rule 5 Arrest

Disposition

Plaintiff**USA**

represented by **CRAIG M. PRINCIPE**
U. S. ATTORNEY'S OFFICE
251 N. MAIN ST., STE. 726
WINSTON-SALEM, NC 27101
336-747-7519
Email: craig.principe@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: United States Attorney

| Date Filed | # | Page | Docket Text |
|------------|----------|------|---|
| 02/01/2023 | | | Arrest (Rule 5) of DIJON P. LAGUERRE. (Kemp, Donita) (Entered: 02/01/2023) |
| 02/01/2023 | | | Minute Entry for proceedings held before MAG/JUDGE L. PATRICK AULD: INITIAL APPEARANCE IN RULE 5 PROCEEDINGS as to DIJON P. LAGUERRE held on 2/1/2023. Defendant advised of rights and charges. Defendant waived his right to an Identity Hearing. The Government agrees to conditions of release and the defendant is instructed to appear 10:00 a.m. on 2/14/2023, in the Eastern District of North Carolina for further proceedings. Order Setting Conditions of Release forthcoming. (AUSA Craig Principe; Counsel for defendant Alexander Stubbs; Proceedings Recorded) (Kemp, Donita) (Entered: 02/01/2023) |
| 02/01/2023 | <u>1</u> | | SEALED FINANCIAL AFFIDAVIT by DIJON P. LAGUERRE. (Taylor, Abby) (Entered: 02/02/2023) |
| 02/01/2023 | <u>2</u> | | ORDER appointing CJA Panel Attorney ALEXANDER B. STUBBS for DIJON P. LAGUERRE. Signed by MAG/JUDGE L. PATRICK AULD on 02/01/2023. (Taylor, Abby) (Entered: 02/02/2023) |
| 02/01/2023 | <u>3</u> | | WAIVER of Rule 5 & 5.1 Hearing by DIJON P. LAGUERRE (Taylor, Abby) (Entered: 02/02/2023) |
| 02/01/2023 | <u>4</u> | | ORDER Setting Conditions of Release for DIJON P. LAGUERRE. Signed by MAG/JUDGE L. PATRICK AULD on 02/01/2023. (cc: PTS/USPO,USMO). (Taylor, Abby) (Entered: 02/02/2023) |
| 02/01/2023 | <u>5</u> | | Appearance Bond Entered as to DIJON P. LAGUERRE (1) 15,000.00. unsecured (cc: PTS) (Taylor, Abby) (Entered: 02/02/2023) |

MIME-Version:1.0
From:ECF@ncmd.uscourts.gov
To:ecf@ncmd.uscourts.gov
Bcc:
--Case Participants: CRAIG M. PRINCIPE (caseview.ecf@usdoj.gov, craig.principe@usdoj.gov, megan.ayscue@usdoj.gov, usancm.ecfcriminal@usdoj.gov), MAG/JUDGE L. PATRICK AULD (david_levintow@ncmd.uscourts.gov, judge_auld@ncmd.uscourts.gov, kimberly_garrett@ncmd.uscourts.gov, sinead_o'doherty@ncmd.uscourts.gov, wanda_williamson@ncmd.uscourts.gov)
--Non Case Participants: Probation Office (duty@ncmp.uscourts.gov), U. S. Marshal's Office (breanna.wilton@usdoj.gov, ecf.usmsncm@usdoj.gov, jeannie.helms@usdoj.gov, jessica.williams2@usdoj.gov, michael.montalvo@usdoj.gov)
--No Notice Sent:

Message-Id:3759153@ncmd.uscourts.gov
Subject:Activity in Case 1:23-mj-00047-LPA USA v. LAGUERRE Arrest - Rule 5
Content-Type: text/html

U.S. District Court

North Carolina Middle District

Notice of Electronic Filing

The following transaction was entered on 2/1/2023 at 2:36 PM EST and filed on 2/1/2023

Case Name: USA v. LAGUERRE
Case Number: 1:23-mj-00047-LPA
Filer:
Document Number: No document attached
Docket Text:
[Arrest \(Rule 5\) of DIJON P. LAGUERRE. \(Kemp, Donita\)](#)

1:23-mj-00047-LPA-1 Notice has been electronically mailed to:

CRAIG M. PRINCIPE craig.principe@usdoj.gov, CaseView.ECF@usdoj.gov, megan.ayscue@usdoj.gov, USANCM.ecfcriminal@usdoj.gov

1:23-mj-00047-LPA-1 Notice will not be electronically mailed to:

MIME-Version:1.0
From:ECF@ncmd.uscourts.gov
To:ecf@ncmd.uscourts.gov
Bcc:
--Case Participants: CRAIG M. PRINCIPE (caseview.ecf@usdoj.gov, craig.principe@usdoj.gov, megan.ayscue@usdoj.gov, usancm.ecfcriminal@usdoj.gov), MAG/JUDGE L. PATRICK AULD (david_levintow@ncmd.uscourts.gov, judge_auld@ncmd.uscourts.gov, kimberly_garrett@ncmd.uscourts.gov, sinead_o'doherty@ncmd.uscourts.gov, wanda_williamson@ncmd.uscourts.gov)
--Non Case Participants: Probation Office (duty@ncmp.uscourts.gov)
--No Notice Sent:

Message-Id:3759220@ncmd.uscourts.gov

Subject:Activity in Case 1:23-mj-00047-LPA USA v. LAGUERRE Initial Appearance - Rule 5

Content-Type: text/html

U.S. District Court

North Carolina Middle District

Notice of Electronic Filing

The following transaction was entered on 2/1/2023 at 3:16 PM EST and filed on 2/1/2023

Case Name: USA v. LAGUERRE

Case Number: 1:23-mj-00047-LPA

Filer:

Document Number: No document attached

Docket Text:

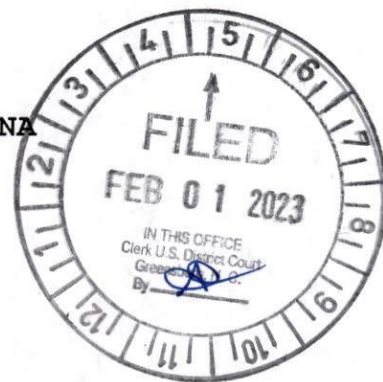
Minute Entry for proceedings held before MAG/JUDGE L. PATRICK AULD: INITIAL APPEARANCE IN RULE 5 PROCEEDINGS as to DIJON P. LAGUERRE held on 2/1/2023. Defendant advised of rights and charges. Defendant waived his right to an Identity Hearing. The Government agrees to conditions of release and the defendant is instructed to appear 10:00 a.m. on 2/14/2023, in the Eastern District of North Carolina for further proceedings. Order Setting Conditions of Release forthcoming. (AUSA Craig Principe; Counsel for defendant Alexander Stubbs; Proceedings Recorded) (Kemp, Donita)

1:23-mj-00047-LPA-1 Notice has been electronically mailed to:

CRAIG M. PRINCIPE craig.principe@usdoj.gov, CaseView.ECF@usdoj.gov, megan.ayscue@usdoj.gov, USANCM.ecfcriminal@usdoj.gov

1:23-mj-00047-LPA-1 Notice will not be electronically mailed to:

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA

v.

DIJON P. LAGUERRE

)
)
) 1:23mj47
)
)

ORDER

The defendant having demonstrated eligibility for appointment of counsel at government expense, CJA Panel Attorney Alexander B. Stubbs is directed to provide representation in this action.

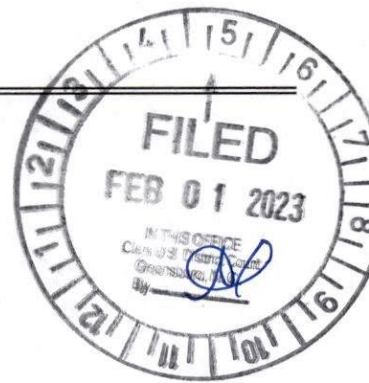
/s/ L. Patrick Auld
L. Patrick Auld
United States Magistrate Judge

Date: February 1, 2023

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina



United States of America

v.

Case No. 1:23mj47

DIJON P. LAGUERRE

Charging District's Case No. 5:23cr17

Defendant

**WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)**

I understand that I have been charged in another district, the (name of other court) Eastern District of North Carolina

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☐ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: February 1, 2023

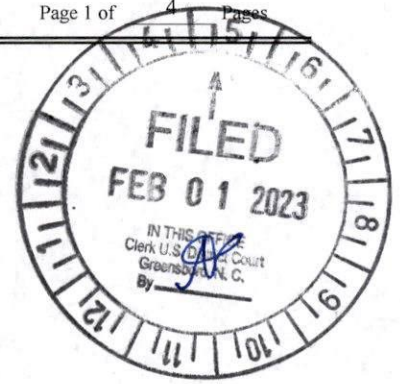
Defendant's signature

Signature of defendant's attorney

Alexander B. Stubbs

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT
for the
Middle District of North Carolina



United States of America
v.

DIJON P. LAGUERRE

Defendant

Case No. 1:23mj47

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: the Terry Sanford Federal Courthouse, 310 New Bern Avenue, Raleigh, NC 27601

Place

on February 14, 2023, at 10:00 a.m.

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

☐ (6) The defendant is placed in the custody of:

Person or organization _____

Address (only if above is an organization) _____

City and state _____

Tel. No. _____

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

Date

☒ (7) The defendant must:

☒ (a) submit to supervision by and report for supervision to the United States Probation Supervising Officer,
telephone number _____, as directed _____.

☒ (b) continue or actively seek employment.

☐ (c) continue or start an education program.

☒ (d) surrender any passport to: the United States Probation Supervising Officer

☒ (e) not obtain a passport or other international travel document.

☒ (f) abide by the following restrictions on personal association, residence, or travel: Travel restricted to the Middle and Eastern Districts of North Carolina and the Southern District of Georgia unless prior approval given by the United States Probation Supervising Officer.

☒ (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: any co-conspirators, including specifically Daniel Candelario, Kelvin Santos, and Stratton Beaubien.

☐ (h) get medical or psychiatric treatment: _____

☐ (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

☐ (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

☒ (k) not possess a firearm, destructive device, or other weapon.

☐ (l) not use alcohol (☐) at all (☐) excessively.

☒ (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

☒ (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

☐ (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

☐ (p) participate in one of the following location restriction programs and comply with its requirements as directed.

☐ (i) **Curfew.** You are restricted to your residence every day (☐) from _____ to _____, or (☐) as directed by the pretrial services office or supervising officer; or

☐ (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

☐ (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities, court appearances, scheduled attorney visits, or other activities specifically approved by the court; or

☐ (iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.

Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.

ADDITIONAL CONDITIONS OF RELEASE

- ☐ (q) submit to the following location monitoring technology and comply with its requirements as directed:
- ☐ (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
 - ☐ (ii) Voice Recognition; or
 - ☐ (iii) Radio Frequency; or
 - ☐ (iv) GPS.
- ☐ (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- ☒ (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- ☐ (t) _____
-

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.


If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.


Defendant's Signature
Greensboro, NC
City and State

Directions to the United States Marshal

- (☒) The defendant is ORDERED released after processing.
(☐) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 2/1/2023


Judicial Officer's Signature

L. Patrick Auld, U.S. Magistrate Judge
Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America)

v.)

DIJON P. LAGUERRE)

Defendant)

Case No. 1:23mj47



APPEARANCE BOND

Defendant's Agreement

I, DIJON P. LAGUERRE (*defendant*), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- (X) to appear for court proceedings;
 (X) if convicted, to surrender to serve a sentence that the court may impose; or
 (X) to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- () (1) This is a personal recognizance bond.
 (X) (2) This is an unsecured bond of \$ 15,000 *[signature]*.
 () (3) This is a secured bond of \$ _____, secured by:

- () (a) \$ _____, in cash deposited with the court.
 () (b) the agreement of the defendant and each surety to forfeit the following cash or other property
(describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value):

 If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- () (c) a bail bond with a solvent surety *(attach a copy of the bail bond, or describe it and identify the surety):*

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: February 1, 2023


Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date


CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Approved.

Date: February 1, 2023


L. Patrick Auld, United States Magistrate Judge